

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

OCT 1 1976

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... March 10, 1966 under 23016.....

The applicant..... Nye County Development Co., Inc., c/o Steven Honig.....

Anglo Fabrics, 1407 Broadway....., of New York.....
Street and No. or P.O. Box No. City or Town

New York 10018....., hereby makeS. application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

Reno, Nevada in February 1962.....

1. The source of the proposed appropriation is an underground source in Nye County
Name of stream, lake or other source.

2. The amount of water applied for is 7.1.....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....acre-feet

3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... 320 acres.....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use, (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section

4, T.17S., R.49E., MDB&M, or at a point from which the N $\frac{1}{4}$ cor-
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
ner of said Section 4 bears N. 07° 18' W, a distance of 2360 feet.

6. Place of use..... the E $\frac{1}{2}$ of Section 4, T.17S., R.49E., MDB&M, 320 acres
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1.....and end about December 31....., of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, pump, motor and
ditches and/or pipelines to the places of use.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$10,000.00
10. Estimated time required to construct works.....4 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....This is a refile on Permit No. 28716 and it is respectfully
requested that the supporting map for Permit 28716 be used
to support this application.

Applicant.....Nye County Development Co., Inc.

By.....s/ R. LeRoy Givens

R. LeRoy Givens, State Water Right
 Surveyor

Compared.....jw/bs.....dc/ga

% Boyle Engineering Corporation

1209 S. Commerce St,
 Las Vegas, NV 89102

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

.....This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

.....This permit is issued subject to the final decision by the Supreme Court of the United States dated June 7, 1976 in the matter of Francis Leo Cappaert et al., v. United States et al., Nos. 74-1107 and 74-1304.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....5.4.....cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....December 16, 1977

Proof of commencement of work shall be filed before.....January 16, 1978

Work must be prosecuted with reasonable diligence and be completed on or before.....December 16, 1978

Proof of completion of work shall be filed before.....January 16, 1979

Application of water to beneficial use shall be made on or before.....December 16, 1981

Proof of the application of water to beneficial use shall be filed on or before.....January 16, 1982

Map in support of proof of beneficial use shall be filed on or before.....January 16, 1982

Commencement of work filed.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this.....16th.....day of.....June.....

A.D. 19.....77

CANCELLED.....2-21-79.....County Recorder
 BECAUSE OF FAILURE
 TO COMPLY WITH THE PROVISIONS OF PERMIT

William J. Givens

State Engineer